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Attorney Docket No. 37167-8043.US00 (13724-853)

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Date:

November 15, 2004

By:

*Lynnea B. Anderson*  
Lynnea B. Anderson

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: MORRIS *et al.*

APPLICATION NO.: 09/938,276

FILED: August 22, 2001

FOR: **TISSUE SURFACE TREATMENT APPARATUS  
AND METHOD**

EXAMINER: ROLLINS, R. S.

ART UNIT: 3739

CONFIRMATION No. 1933

### **Request for Continued Examination (RCE) Transmittal**

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000, provides for continued examination of an utility or plant application, filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

**Mail Stop RCE  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450**

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

**Note:** 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. §1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

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395.00 OP

1. Submission required under 37 C.F.R. §1.114

☒ Previously submitted

☒ Consider the amendment(s)/reply under 37 C.F.R. §1.116  
previously filed on September 14, 2004.  
(Any unentered amendment(s) referred to above will be entered.)

2. Miscellaneous

☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months.  
(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(f) required)

3. Fees The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when RCE is filed.


☒ A check in the amount of \$395.00 is enclosed to cover the following fees.

☒ RCE fee required under 37 C.F.R. §1.17(e) - \$395

☒ The Director is hereby authorized to charge any underpayment in fees (or credit any overpayments) to Deposit Account No. 50-2207.

Respectfully submitted,

Date: Nov. 15, 2004

  
\_\_\_\_\_  
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